

MESSAGE NO: 1109308 MESSAGE DATE: 04/19/2011

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: FR CITE DATE:

REFERENCE 4265201, 6038204
MESSAGE #
(s):
CASE #(s): A-533-808

EFFECTIVE DATE: 04/19/2011 COURT CASE #: CIT 04-246
PERIOD OF REVIEW: 12/01/2001 TO 11/30/2002
PERIOD COVERED: TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR STAINLESS STEEL WIRE RODS FROM INDIA PRODUCED AND/OR EXPORTED BY THE VIRAJ GROUP FOR THE PERIOD 12/01/2001 THROUGH 11/30/2002 (A-533-808)

NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. SEE PARAGRAPH 4 BELOW.

1. ON 09/06/2006, THE U.S. COURT OF INTERNATIONAL TRADE (CIT) ISSUED A FINAL DECISION IN THE CASE OF CARPENTER TECH CORP. V. UNITED STATES (COURT NO. 04-246). AS A RESULT OF THIS DECISION, THE INJUNCTION TO WHICH MESSAGE 4265201 REFERS ENJOINING LIQUIDATION OF ENTRIES WHICH ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL WIRE RODS FROM INDIA FOR PERIOD DECEMBER 1, 2001, THROUGH NOVEMBER 30, 2002, PRODUCED AND/OR EXPORTED BY THE VIRAJ GROUP, INCLUDING VIRAJ ALLOYS LIMITED AND VSL WIRES LTD., DISSOLVED ON NOVEMBER 5, 2006.

2. FOR ALL SHIPMENTS OF STAINLESS STEEL WIRE RODS FROM INDIA PRODUCED AND/OR EXPORTED BY THE VIRAJ GROUP (A-533-808-005), INCLUDING VIRAJ ALLOYS LIMITED AND VSL WIRES LTD., IMPORTED BY OR SOLD TO (AS INDICATED ON THE COMMERCIAL INVOICE OR CUSTOMS DOCUMENTATION) VIRAJ USA, INC., AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002, ASSESS AN ANTIDUMPING LIABILITY OF 0.00 PERCENT OF THE ENTERED VALUE.

3. FOR ALL SHIPMENTS OF STAINLESS STEEL WIRE RODS FROM INDIA PRODUCED BY THE VIRAJ GROUP, INCLUDING VIRAJ ALLOYS LIMITED AND VSL WIRES LTD., ENTERED UNDER A-533-808-005 AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002 AND NOT COVERED BY PARAGRAPH 2, ASSESS AN ANTIDUMPING DUTIES AT THE CASH DEPOSIT RATE IN EFFECT AT THE DATE OF THE ENTRY.

4. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF
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LIQUIDATION OF ENTRIES COVERED BY PARAGRAPHS 2 AND 3 OF SUBJECT MERCHANDISE DURING THE PERIOD 12/01/2001 THROUGH 11/30/2002. ACCORDINGLY, NOTICE OF THE LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE OF THESE INSTRUCTIONS. THE ANTIDUMPING DUTY ORDER ON STAINLESS STEEL WIRE RODS FROM INDIA WITH RESPECT TO THE VIRAJ GROUP WAS REVOKED, EFFECTIVE 12/01/2003 (SEE MESSAGE 6038204).

5. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(F)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:DR).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

Case #	Rate	Party Indicator*	Party ID	Party Name
A-533-808-005	0.00	E		THE VIRAJ GROUP
A-533-808-005	0.00	I		VIRAJ USA INC.
A-533-808-005	0.00	M		THE VIRAJ GROUP